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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,271	11/20/2001	Michael C. Smyk	FCI-2632/C3069	9590
48580	7590	11/18/2005	EXAMINER	
WOODCOCK WASHBURN, LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103				HARVEY, JAMES R
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/989,271	SMYK, MICHAEL C.	
	<b>Examiner</b>	<b>Art Unit</b>	
	James R. Harvey	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 October 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 45-54 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 45-54 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 20 November 2001 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## ***DETAILED ACTION***

### ***Continued Examination Under 37 CFR 1.114***

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10-28-05 has been entered.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

- In reference to Claim(s) 54, the recitation "converging sidewalls" is not shown.
- The above feature(s) must be shown or the feature canceled from the claim. No new matter should be entered.

### ***Claim Objections***

- The following claim(s) is/are objected to because of the noted informalities:
- In reference to Claim(s) 45-54, the recitation "contact section" is seen to be so broadly defined in the claims that it is not clear what defines the contact section. For purposes of examination, it is assumed that the contact section is defined by any portion of the female terminal that can contact a male pin. An examination based on the merits, as best understood, is addressed below.

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-- In reference to Claim(s) 45-54, the recitation “tubular portion” is seen to be so broadly defined in the claims that it does not have to be a closed tubular portion, it can be open on at least one of the sides or have openings on the sides. An examination based on the merits, as best understood, is addressed below.

-- In reference to Claim(s) 45-54, the recitation “a flexible contact element at least partially disposed within the contact section in a non-fixedly secured manner” is vague and indefinite because it is not clear how it is not fixed to the contact section.

-- In reference to Claim(s) 54, the recitation “converging sidewalls” is confusing because applicant only shows the horizontal walls converging. For purposes of examination, it is assumed that the language is intended to mean “bent portions of the sidewall converge”. An examination based on the merits, as best understood, is addressed below.

-- Appropriate response to the above is required.

#### ***Claim Rejections - 35 USC § 112***

- The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- Claim(s) 45-54 is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

-- In reference to Claim(s) 45-54, the recitation “so that opposing ends of the flexible contact element are free for urging a complementary male terminal into engagement with the bottom wall” is vague and indefinite. The opposing can not be for “urging a complementary male terminal. Applicant's figure 6 specifically indicates that the middle portion of the flexible

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contact section is for “urging a complementary male terminal” and the free ends are not seen to contact the terminal. An examination based on the merits, as best understood, is addressed below.

-- Appropriate correction of the above is required.

***Claim Rejections - 35 USC § 102***

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

***Claim Examination***

\*\* Claim(s) 45-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Shima et al. (4880401).

-- In reference to Claim(s) 45, Shima shows (see examiner's figure)

a contact section for mating with a complementary male terminal, the contact section including a bottom wall; a first set of sidewalls that define a first tubular portion with the bottom wall; and a second set of sidewalls, that define a second tubular portion with the bottom wall, the second tubular portion arranged end to end with the first tubular portion the first tubular portion having an effective diameter that is less than an effective diameter the second tubular portion; and

a flexible contact element at least partially disposed within the contact section in a non-fixedly secured manner so that opposing ends of the flexible contact element are

free for urging a complementary male terminal into engagement with the bottom wall,  
wherein the flexible contact element does not extend into the first tubular portion because  
the flexible contact element defines an upper surface of the first tubular portion.

-- In reference to Claim(s) 46, Shima shows (see examiner's figure) the flexible contact element includes a leading edge (see examiner's figure) that is positioned outside of the contact section.

-- In reference to Claim(s) 47, Shima shows (see examiner's figure) the flexible contact element includes a leading edge, and wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge.

-- In reference to Claim(s) 48, Shima shows (see examiner's figure)

a contact section for mating with a complementary male terminal, the contact section including first tubular portion comprising a first set of sidewalls, and a second tubular portion comprising a second set of sidewalls and being arranged end to end with the first tubular portion; wherein geometrically central axes of the first and second tubular portions are misaligned and the first tubular portion has an effective diameter that is less than an effective diameter of the second tubular portion; and

a flexible contact element at least partially disposed within the contact section in a non-fixedly secured manner so that opposing ends of the flexible contact element are free for urging a complementary male terminal into engagement with the bottom wall,

wherein the flexible contact element does not extend into the first tubular portion because the flexible contact element defines an upper surface of the first tubular portion.

-- In reference to Claim(s) 49, Shima shows (see examiner's figure) the flexible contact element includes a leading edge that resides outside of the contact section.

- In reference to Claim(s) 50, Shima shows (see examiner's figure)
  - the flexible contact element includes a leading edge, and wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge.
- In reference to Claim(s) 51, Shima shows (see examiner's figure)
  - an opening is defined at an interface between the first tubular portion and the second tubular portion; and wherein a portion of the flexible contact element extends into the opening.
- In reference to Claim(s) 52, Shima shows (see examiner's figure)
  - a contact section for mating with a complementary male terminal, the contact section including a first tubular portion comprising a first set of sidewalls', and a second tubular portion comprising a second set of sidewalls and being arranged end to end with the first tubular portion; wherein the first tubular portion has an effective diameter that is a different size than that of the second tubular portion; and
  - a flexible contact element at least partially disposed within the contact section in a non-fixedly secured manner so that opposing ends of the flexible contact element are free. for urging a complementary male terminal into engagement with the bottom wall, wherein the flexible contact element does not extend into the first tubular portion.
- In reference to Claim(s) 53, Shima shows (see examiner's figure)

the flexible contact element includes a leading edge, and wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge.

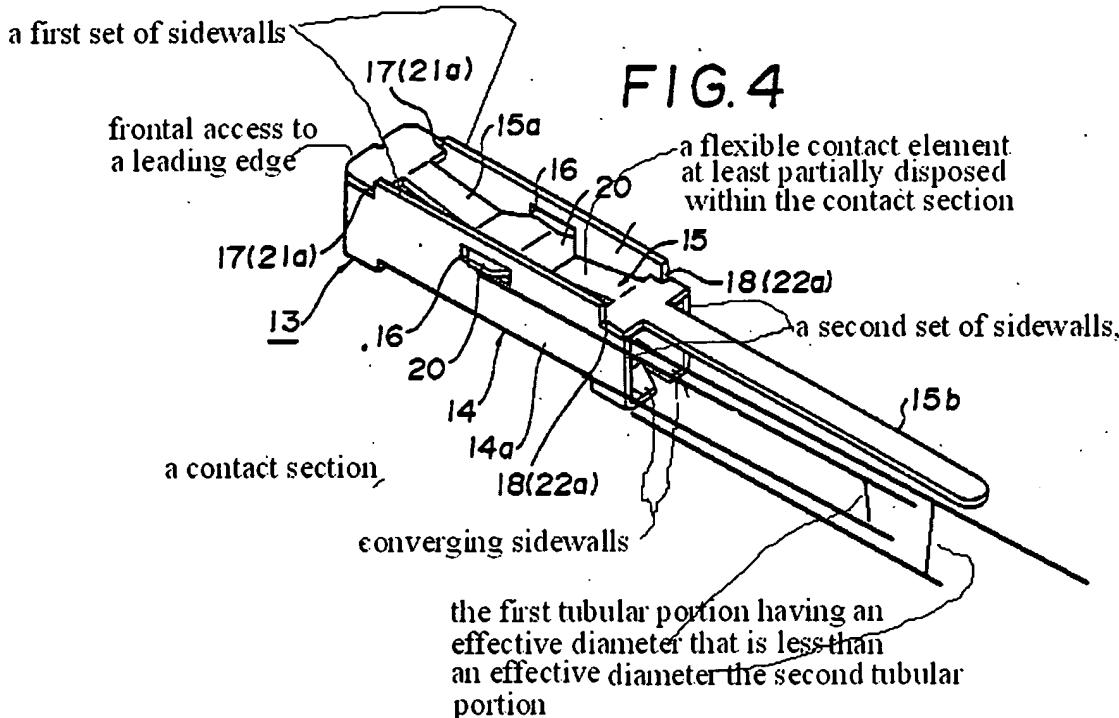
-- In reference to Claim(s) 54, Shima shows (see examiner's figure)

a contact section including a set of converging sidewalls that define an insertion pathway for a complementary male terminal,' the insertion pathway having a diameter that is smaller than a tubular portion that is proximate the set of converging sidewalls', and

a flexible contact element partially disposed within the contact section in a non-fixedly secured manner so that opposing ends of the flexible contact element are free. for urging a complementary male terminal into engagement with a contact section bottom wall;

wherein the female electrical terminal is devoid of any structure prohibiting frontal access to a leading edge of the flexible contact element, and

wherein the flexible contact element does not extend into the set of converging sidewalls.



*Applicant's Remarks*

-- In response to applicant's assertions dated 10-28-05, they have been carefully considered, but are moot in view of the new grounds of rejection.

*Conclusion*

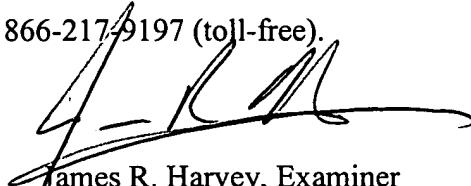
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 571-272-2007. The examiner can normally be reached from 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 extension 33.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2800.

- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Harvey, Examiner

jrh

November 4, 2005